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Forms of Discrimination

InFocus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work

International Labour Organization

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Forms of Discrimination

Abstract

Fact sheet on various forms of discrimination in the workplace, prepared by the ILO.

Keywords

HIV/AIDS, action, Catherwood, convention, Cornell, declaration, disability, discrimination employment, fundamental, gender, global, globalization, human, ILR, implementation, international, labor, labour, law, legislation, nations organization, organization, pay, portal, principles, programme, race, racial rights, united, university, work, workers, workplace

Disciplines

Civil Rights and Discrimination

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Forms of Discrimination

OVERVIEW

Discrimination means treating people differently and less favourably because of characteristics that are not related to their merit or the requirements of the job. These include race, colour, sex, religion, political opinion, national extraction and social origin.

Other kinds of discrimination that the ILO and its constituents are concerned with include age, disability, HIV AIDS and sexual orientation. Anti-union discrimination is also persistent and widespread.

GENDER

During the 1990s more women moved into the labour force around the world, narrowing the gap between their participation rates and those of men. Measures of women's employment in the non-agricultural sector constitute one indicator of progress towards one of the UN Millennium Development Goals - and there seems to have been an improvement on this indicator in most countries.

However, there is still much to be done. The glass ceiling is still stopping all but a handful of women from reaching top management positions and the pay gap between women and men is still significant. Women are also more likely than men to be found in the lowest-paid and least secure jobs. Unemployment rates have almost always been higher for women than men.

Discrimination can occur at the recruitment stage, in education and training, in remuneration, and through occupational segregation. Men and women tend to work in different sectors of the economy and hold different positions within the same occupational group. Women tend to be employed in a narrower range of occupations than men, and are more likely to be working part-time, or in short-term or less secure forms of employment.

Export-led industrial development has opened up many occupations to women, but inequalities remain in terms of pay, authority and promotion. Available evidence seems to show that occupational segregation also persists in new areas of work related to information and communications technologies - once hailed as a window of equal treatment and opportunities for women.

Discriminatory provisions and procedures governing the right to own land, issuance of business licences, inheritance laws, family laws that may, for example, require women to obtain a male relative's permission to work outside the home, are just some of the many other factors that can disadvantage women in employment and occupation.

RACE

In common with all forms of discrimination, racial discrimination is not based on objective characteristics - but on people's perceptions. These perceptions of an individual's cultural, social or physical differences, such as colour, lead to racial discrimination. Ethnic minorities, indigenous and tribal peoples, "coloured" people and migrant workers are often affected.

Rising levels of global migration have changed patterns of racial discrimination against migrant workers and citizens of foreign origin. In today's world, older theories of the purported superiority of one racial or ethnic group over another have been replaced by allegations that foreign and "incompatible" cultures may have disruptive effects on the integrity of national identities.

HIV/AIDS

Worldwide, more than 42 million men, women, girls and boys are living with HIV AIDS. Discrimination at work based on HIV/AIDS can take many forms, including pre-employment testing leading to a refusal to hire, testing of long-term foreign visitors before entering the country, and in some countries, mandatory tests for migrant women workers. Breaches of medical confidentiality are common.

Other forms of discrimination include dismissal without medical evidence, notice or a hearing; demotion; denial of health insurance benefits; salary reductions and harassment. The burden of caring for people with the disease often falls on women and girls - increasing their workload, and reducing their opportunities to earn incomes and attend school. Older women workers may become responsible for orphaned grandchildren.

DISABILITY

The most common form of discrimination for persons with disabilities is the denial of opportunities. Prejudice and misconceptions mean that men and women with disabilities are very often shut out of the labour market, and from education and training.

Unemployment rates for people with disabilities reach 80 per cent or more in many developing countries. When disabled people do find jobs, the work is often low-paid, unskilled and menial. The jobs are often in the informal economy with little or no social protection.

RELIGION

Over the past decade, discrimination based on religion appears to have increased. The present urgency of countering and preventing terrorism has fuelled sentiments of mutual fear and discrimination between religious groups. It is clear however that any strategy aimed at tackling conflicts of interest should respect religious freedom. Denying the basic right to follow a religion of one's choice can destabilize societies and generate violence.

Religious discrimination can include offensive behaviour at work by co-workers or managers towards members of religious minorities; lack of respect and ignorance of religious customs; the obligation to work on religious days or holidays; bias in recruitment or promotion; denial of a business licence; and lack of respect for dress codes.

AGE

The changing structure of the world's population makes it even more important to tackle discrimination based on age. By 2050, 33 per cent of people in developed countries and 19 per cent in developing countries will be 60 or older.

Discrimination can be overt, such as age limits for hiring. It can also take more subtle forms, such as allegations that people lack career potential, or have too much experience. Other forms of discrimination include limited access to training and conditions that virtually compel early retirement. Under certain conditions, age discrimination can affect younger or new workers as well as mid-life and near retirement workers.

MULTIPLE DISCRIMINATION

Many people suffer more than one form of discrimination. The depth of poverty is widest among people who suffer multiple forms of discrimination simultaneously. Indigenous and tribal people, for example, are among the poorest of the poor, and women within these groups are even more severely affected.

The intensity or severity of the disadvantages they may confront depends on how many personal characteristics may generate discrimination, and how these interrelate. People who suffer several forms of discrimination are more likely to be poor, or chronically poor, and to work in the informal economy.